

1 The Honorable Richard A. Jones
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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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14 IN RE CLASSMATES.COM) No. C09-45RAJ
15 CONSOLIDATED LITIGATION)
16) PLAINTIFFS' RESPONSE REGARDING
17) CURTIS NEELEY'S MOTION SEEKING
18) PRELIMINARY INJUNCTION
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23 On April 19, 2010, this Court entered an order that, *inter alia*, preliminarily approves the
24 Class Action Settlement entered into between Plaintiffs and Defendants, certifies a settlement
25 class and "subclass," and stays all proceedings in this action until further order of the Court,
26 "except such actions as may be necessary to implement the Settlement Agreement." Dkt. 76 at
9. On November 4, 2010, Curtis J. Neeley Jr. filed a pleading titled "Motion Seeking
Preliminary Injunction." Dkt. 101. Mr. Neeley appears to be dissatisfied with certain aspects of
the Court's April 19 Order and seeks relief that is at odds with this Court's prior ruling.
However, Mr. Neeley has not requested that the Court lift the stay of this action.

In light of the current stay, and unless directed otherwise by the Court, Plaintiffs will not
be filing any additional response to address Mr. Neeley's motion,¹ other than papers in support

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1 of final approval, which are scheduled to be filed on or before December 9, 2010. Dkt. 76 at 13
2 (“The parties to the Settlement Agreement may file additional papers in support of the
3 proposed settlement seven (7) calendar days prior to the Final Hearing.”).
4

5 DATED this 22nd day of November, 2010.

6 **KELLER ROHRBACK L.L.P.**

7
8 By s/Amy Williams-Derry
9 Mark A. Griffin, WSBA #16296
10 Amy Williams-Derry, WSBA #28711
11 1201 Third Avenue, Suite 3200
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17 Brian S. Kabateck
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26 *Counsel for Plaintiffs and the Class*

are filing this response on the date mandated by the Local Rules had the motion been properly noted for consideration on November 26, 2010. CR 7(d)(3) (“motions for preliminary injunction shall be noted for consideration no earlier than the fourth Friday after filing and service of the motion.”)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE CLASSMATES.COM
CONSOLIDATED LITIGATION) No. CV09-45RAJ
)
) CERTIFICATE OF SERVICE
)
)

I hereby certify that, on November 22, 2010, I electronically filed the foregoing with the Clerk of the Court via the CM/ECF system, which will send notification of such filing to the following:

Brian S. Kabateck, Joshua H Haffner, Richard L. Kellner, Clifford A. Cantor, David Stampley, Scott A. Kamber, Ana Tagvoryan, Jeffrey A. Rosenfeld, Russell B. Wuehler, Nicole M. Tadano, Stellman Keehnel, Theodore Frank and Lawrence Carl Locker.

I further certify that some of the participants in the case are not registered CM/ECF users. I have dispatched the foregoing documents to a third party commercial carrier for overnight delivery to the following non-CM/ECF participants:

Curtis Neeley
2619 North Quality Lane, Suite 123
Fayetteville, AR 72703

DATED this 22nd day of November, 2010.

s/Amy Williams-Derry
Amy Williams-Derry